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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,479	02/22/2002	Paul Giampavolo	P/1759-85	4324
2352 7590 08/23/2007 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			EXAMINER CHAN, KO HUNG	
			ART UNIT 3632	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/082,479

Applicant(s)

GIAMPAVOLO, PAUL

Examiner

Korie H. Chan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18,26,27,29 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18,26,27,29,32-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

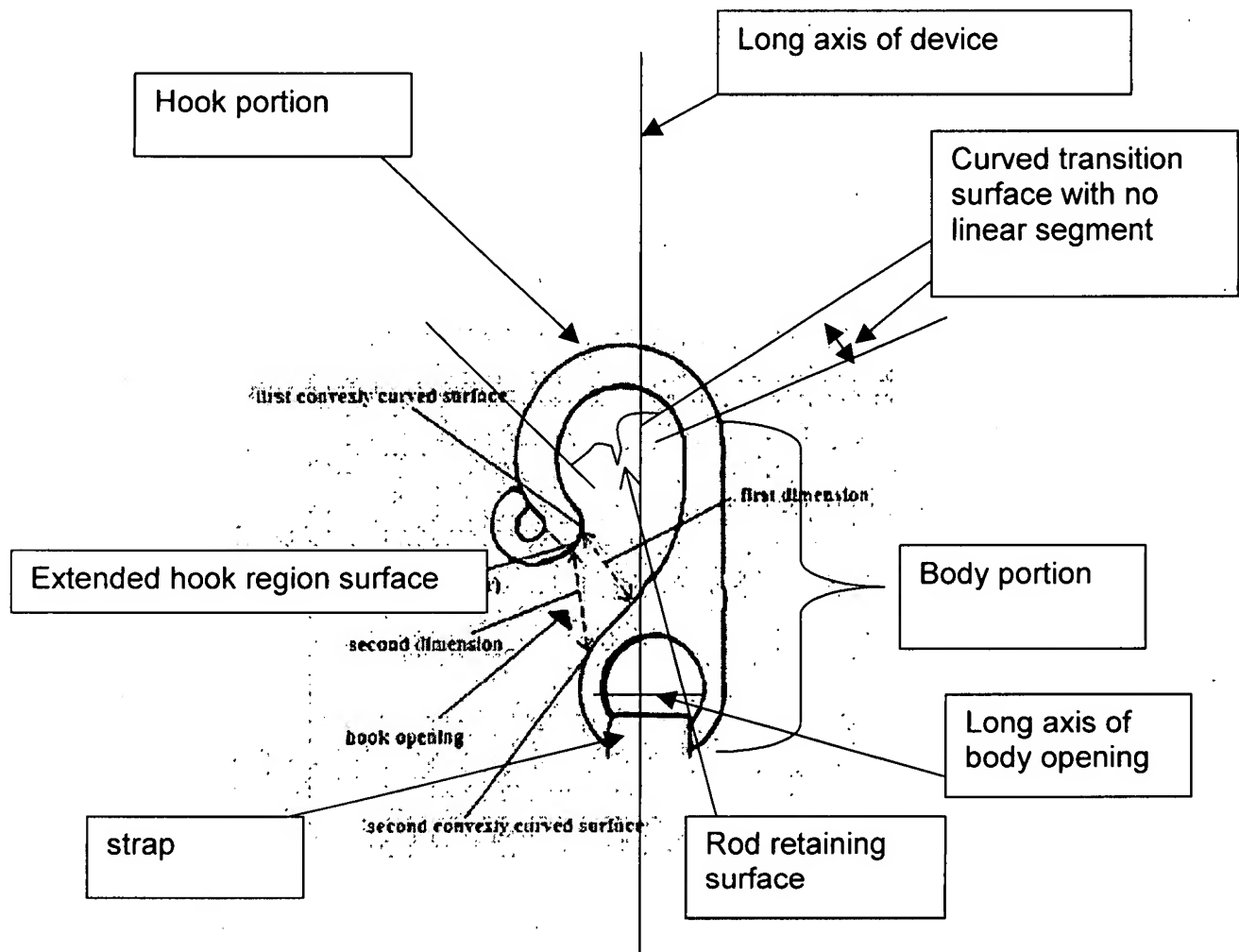
- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 102***

Claims 29, 32, 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Artemi (US patent no. 5,584,455). Artemi discloses a plastic hanger having all the claimed features of applicant's invention as illustrated below. Furthermore, Artemi's hanger is capable of being supported on a rod of a diameter where the hook opening is of equal width to the diameter to encounter resistance with the rod.



***Claim Rejections - 35 USC § 103***

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Artemi (US patent no. 5,584,455) in view of Hall (US patent no. 637,733). Artemi discloses a plastic hanger having all the claimed features of applicant's invention as illustrated above except for the opening is rectangular. To provide rectangular openings in hangers to accommodate straps threaded therethrough is conventional and well-known. Hall teaches a hanger (G, figure 2) having rectangular opening (b,d, figure 2) for threading of strap (B, figure 1). It would have been obvious to one of ordinary skill in the art to have modify the circular opening of Artemi with a rectangular shaped opening as such is conventional and well-known in the hanger art as demonstrated by Hall.

Claims 18, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Artemi (US patent no. 5,584,455) in view of Adkins (US patent no. 5,083,813). Artemi discloses a plastic hanger having all the claimed features of applicant's invention as illustrated above except for the rod as providing a rod of a diameter of approximately a same size as the first dimension of the hook opening. To provide a rod to be at least approximately the same same as the first dimension of the hook opening in order to facilitate resistance is old and well-known. Adkins teaches providing a hook opening (16, figure 4) being approximately a same size as the diameter of the rod (28 and Col. 3, lines 20 only "slightly less"). It would have been obvious to one of ordinarily skilled in the art to have mounted Artemi's hanger on a rod

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of approximately the same size as the hook opening as taught by Adkins as such would facilitate entry and removal impedance and does not provide unexpected results.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Artemi (US patent no. 5,584,455) in view of Adkins (US patent no. 5,083,813) as applied to claim 18 above, and further in view of Hall (US patent no. 637,733). Artemi and Adkins combined disclosed a plastic hanger having all the claimed features of applicant's invention as illustrated above except for the opening is rectangular. To provide rectangular openings in hangers to accommodate straps threaded therethrough is conventional and well-known. Hall teaches a hanger (G, figure 2) having rectangular opening (b,d, figure 2) for threading of strap (B, figure 1). It would have been obvious to one of ordinary skill in the art to have modify the circular opening of Artemi and Hall combined with a rectangular shaped opening as such is conventional and well-known in the hanger art as demonstrated by Hirsh.

### ***Response to Arguments***

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571)272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Korie H. Chan  
Primary Examiner  
Art Unit 3632

khc  
August 9, 2007